

UNITED STATES DISTRICT COURT

Southern

District of

New York

Picture Patents, LLC

SUMMONS IN A CIVIL ACTION

V.

Aeropostale, Inc.  
Dick's Sporting Goods, Inc.  
Bath & Body Works, LLC  
The Charlotte Russe, Inc.  
GSI Commerce Solutions, Inc.  
National Basketball Association, Inc.  
Major League Baseball Enterprises, Inc.  
Linens 'n Things, Inc.  
Tweeter Home Entertainment Group, Inc.  
Buy.com, Inc.

CASE NUMBER: 07cv5567

TO: GSI Commerce Solutions, Inc.  
935 First Avenue  
King of Prussia, PA 19406

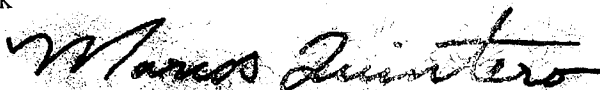
**YOU ARE HEREBY SUMMONED** and required to serve on PLAINTIFF'S ATTORNEY

Thomas J. Parker  
Alston & Bird LLP  
90 Park Avenue  
New York, NY 10016

an answer to the complaint which is served on you with this summons, within 20 days after service of this summons on you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. Any answer that you serve on the parties to this action must be filed with the Clerk of this Court within a reasonable period of time after service.

J. MICHAEL McMAHON

CLERK



(By) DEPUTY CLERK

FEB 01 2008

DATE

**RETURN OF SERVICE**

Service of the Summons and complaint was made by me(1)	DATE
NAME OF SERVER ( <i>PRINT</i> )	TITLE

*Check one box below to indicate appropriate method of service*

☐ Served personally upon the defendant. Place where served:

☐ Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein.

Name of person with whom the summons and complaint were left:

☐ Returned unexecuted:

☐ Other (specify):

**STATEMENT OF SERVICE FEES**

TRAVEL	SERVICES	TOTAL
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**DECLARATION OF SERVER**

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.

Executed on

Date

Signature of Server

Address of Server

(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.



**Demovsky Lawyer Service**

Premier Nationwide Document Retrieval  
and Process Service Company

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

PICTURE PATENTS, LLC,

Plaintiff,

-against-

AEROPOSTALE, INC., et al.,

Defendants.

Case No. 07cv5567

AFFIDAVIT OF SERVICE

STATE OF PENNSYLVANIA )

S.S.:

COUNTY OF PHILADELPHIA )


MICHAEL D. TALONE, being duly sworn, deposes and says that he is over the age of eighteen years, is an agent of the attorney service, D.L.S., Inc., and is not a party to this action.

That on the 6<sup>th</sup> day of February, 2008, at approximately the time of 4:20 PM, deponent served a true copy of the SUMMONS IN A CIVIL ACTION; FIRST AMENDED COMPLAINT; 3<sup>RD</sup> AMENDED INSTRUCTIONS FOR FILING AN ELECTRONIC CASE OR APPEAL; INDIVIDUAL PRACTICES OF JUDGE G. KOELTL; AND INDIVIDUAL PRACTICES OF MAGISTRATE JUDGE HENRY PITMAN upon GSI COMMERCE SOLUTIONS, INC. at 935 First Avenue, King of Prussia, PA, by personally delivering and leaving the same with DONNA SMITH who informed deponent that she holds the position of Paralegal with that company and is authorized by appointment to receive service at that address.

DONNA SMITH is a white female, approximately 38 years of age, stands approximately 5 feet 5 inches tall, weighs approximately 160 pounds with black hair.

  
MICHAEL D. TALONE

Sworn to before me this  
6<sup>th</sup> day of March, 2008

  
NOTARY PUBLIC

D.L.S., Inc.  
401 Broadway  
Ste 510  
NY, NY 10013  
212-925-1220  
www.dlsny.com

COMMONWEALTH OF PENNSYLVANIA  
NOTARIAL SEAL  
DAVID W. HAHN, Notary Public  
City of Philadelphia, Phila. County  
My Commission Expires January 9, 2012